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SUPREME COURT, U. S.

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IN THE

Supreme Court of the United States

NO. [redacted] 103

OCTOBER TERM, 1968

EDMUND WINKLER, Petitioner

v.

THE PENNSYLVANIA RAILROAD COMPANY, a Corporation, and SAMUEL W. PRINGLE, Respondents

BRIEF TO PETITION FOR WRIT OF CERTIORARI OF THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT.

EDMUND WINKLER
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In His Own Behalf

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BRIEF TO PETITION FOR WRIT OF CERTIORARI OF THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT.

Brief is respectfully submitted in answer to the defense's letter June 21, 1968 in which the defense formally informs the Supreme Court of the United States not to file any brief to the plaintiff's petition for writ of certiorari.

In the present case the defense never before and nowhere attempted legally to explain or justify the incriminated action as charged.

Correctly — because any argument to justify this action of violation of constitutional right in court would have or rather does indeed question the validity of the U. S. Constitution in particular or in view of the U. S. Court of Appeals' judgment of permissive exceptions — in its entirety.

Consequently the defense as well at this time does not present any arguments in response to plaintiff's allegation as cited in the petition and prefers to be freed of charge with the judgment of the U. S. Court of Appeals.

The question therefore remains: Is the deliberate violation of constitutional rights in a court proceeding by person or persons, legally educated and in power of mandate of the court's proceeding, permissive under the Laws of the United States?

In the absence of any further forthcoming presentation to the Supreme Court of the United States it may be assumed that both opposing parties accept the judgment of the High Court on the basis of past briefs.

In the past the U. S. Supreme Court in its decisions repeatedly upheld and requested the protection of constitutional rights in any legal proceeding.

A civil court proceeding is provided in the exercise of their rights by two opposing each other private parties in the presence of the Government through the court as the deciding legal authority and power under the same or similar protection of civil rights or other laws governing the rules of proceeding.

In the conclusion the protection of constitutional rights, as stipulated by the U. S. Supreme Court, generally is as well valid in any court proceeding, specifically in this case the recognition of the U. S. citizenship as a basic, verified by the courts legally guaranteed right certainly also for the time and duration of a court proceeding and the possible influence upon its judgment.

Aside from the two judges who disapproved the defendant's action as charged, most of the contacted lawyers, although they refused to represent in court, nevertheless sacrificed their valuable time and permitted to be advised and instructed as to law and continuance of presentation repeated by plaintiff in his writings to the best of his limited capabilities.

And the judgment of the Supreme Court of the United States shall prove, if the lawyers' mostly unanimous opinions appear to be right — or wrong.

To abide by the Law.

Respectfully submitted

EDMUND WINKLER.